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A new squall menaces houses built on sand

Residents vow to fight replenishment plan that threatens their beachfront solitude

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June Logan is one of those New Jerseyans brave enough to own oceanfront property on Long Beach Island, that narrow strip of sandy, costly real estate in Ocean County.

A storm earlier this month had the Atlantic licking at houses a few blocks from her home in Brant Beach. A direct hit from even a small hurricane could submerge the entire island.

Now the government wants to spend \$71 million to put another 11 million cubic yards of sand between the ocean and the homes on Long Beach Island.

And Logan is standing in the way.

Before it will start the project, the Army Corps of Engineers is insisting, as it long has, that beachfront owners sign easements allowing the public onto the strip of beach they own, above the high-water line.

And before the state will pitch in its share of the money, the Department of Environmental Protection is imposing new requirements that towns provide parking, public beach access points every quarter mile and public bathrooms every half mile.

Logan and hundreds of her neighbors are refusing to sign the easements.

"This project is going to destroy Long Beach Island as we know it," Logan said from her other home in Morris County's Washington Township. "It is a family-oriented island; it is a homeowner island. If we wanted public restrooms every quarter mile, we would have bought at a different Shore resort."

In Long Beach Township, just 40 or so of 600 beachfront property owners have signed the easement, Mayor DiAnne Gove said. In neighboring Surf City, eight of 24 have, Mayor Leonard Connors said. In Beach Haven, less than 40 of 200 have signed, Mayor Debora Whitcraft said.

Angry holdouts are showing up at public meetings by the hundreds, and planning a mass meeting to interview lawyers.

Some say they're worried they would be liable for public injuries on their property. Others complain the new 22-foot dunes would obscure their view. Many say the open-ended easement would allow their town to build a boardwalk in front of their houses. Almost all complain bitterly about the bathroom requirement, saying it would mandate an ugly, smelly addition to the Shore.

But some supporters of the replenishment project, including westerly neighbors and public officials on the island, say those arguments are smoke screens. They say that what really bothers beachfront owners is they would have to share their quiet stretches of sand with more people.

"Will they admit to it? Absolutely not," Whitcraft said. "But that's what it comes down to. They don't mind using public tax dollars to replenish and restore and maintain their beach, but God forbid the public should try to access it."

Beach access has been an issue in New Jersey for generations. Beaches themselves are open to all from the high-water line down, according to the public trust doctrine, in which the beach is held in trust for the use by the public. But when bounded by private property, they can be difficult to reach.

In a landmark case last year, the state Supreme Court forced a private beach club in Cape May County to grant passage to anyone willing to pay \$3 for a daily badge. But more than a quarter of the beaches on the Jersey Shore remain private, and a good many are still largely inaccessible to the public, access advocates say.

Beach replenishment projects offer the government leverage to pry open new stretches of the Shore, officials said.

In the Long Beach Island project, the Army Corps would build up the beaches on the island's entire 18-mile length, piping sand from offshore and sculpting it into dunes and a sloped beach. Federal taxpayers would fund 65 percent of the \$71 million cost, with the state picking up three-fourths of the balance and towns paying the rest.

Officials want to start by October, said David Rosenblatt, administrator of the Office of Engineering and Construction at the DEP.

"We want to have those easements in hand this spring," Rosenblatt said.

The Corps generally requires public-access points every half mile on replenished beaches. But for the first time, the DEP has gone beyond that, requiring towns to provide access every quarter mile, bathrooms every half mile, and enough parking to meet beach capacity or peak demand.

Rosenblatt said most towns on the island already comply with the parking and access requirements. The exceptions are the exclusive North Beach and Loveladies sections of Long Beach Township, where "No Parking" signs line the streets and "No Public Access" signs block private lanes to the beach.

Rosenblatt said few if any towns currently comply with the bathroom requirement, which was unpopular even among homeowners who said they would sign the easements, like Jim White, a bond trader who lives year-round on Brant Beach.

"I'd rather take the chance of having a boardwalk in front of my house than take the chance of having no home," White said. "But where are we going to build restrooms here?"

He worried they would diminish the littoral beauty that surrounds him.

Some elected officials, including Gove and Rep. Jim Saxton (R-3rd Dist.), have called on the state to back off. But DEP Commissioner Lisa Jackson said she had no intention of doing so.

"It's very simple. We're going to pay significant amounts of public money to replenish that beach. The public has to be able to use it," she said. "You have to have somewhere to leave your car and somewhere safe and sanitary to relieve yourself."

Connors, a Republican who is a state senator as well as mayor of Surf City, was critical of both the beachfront property owners for refusing to sign the easements and the DEP for imposing new requirements that could scotch the project.

But he said his government was making plans to deal with both. He intends to solve the bathroom requirement -- which he said was a fair requirement -- by wheeling portable stalls onto the beach with a tractor every morning, then bringing them in when the beach closes.

And he intends to deal with holdout property owners by making provisions, if the replenishment project does not go forward, to truck sand onto the beach and charge beachfront owners a special tax assessment to pay for it.

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